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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 DEVAUGHN DORSEY,

13 Defendant.
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Case No. CR08-245RSL

ORDER

15 This matter comes before the Court on defendant Devaughn Dorsey's motion for an
16 extension of time, Dkt. # 586, and motion for appointment of counsel on appeal, Dkt. # 587.

17 In a criminal case, a defendant's notice of appeal must be filed within fourteen days of
18 the order being appealed. Fed. R. App. P. 4(b)(1)(A). The order that Mr. Dorsey appeals was
19 entered October 31, 2017. Dkt. # 583. He has since filed the two motions mentioned above, but
20 both fell outside that fourteen-day window. See Dkt. # 586 (filed November 28, 2017); Dkt. #
21 587 (filed December 4, 2017). Federal Rule of Appellate Procedure 4(b)(4) empowers the Court
22 upon a finding of good cause to extend the time to file a notice of appeal for up to thirty days
23 from that deadline. Mr. Dorsey's attorney recently withdrew and he further cites difficulties in
24 timely filing with the Court due to logistical hurdles he faces at the federal facility where he now
25 resides. The Court accordingly finds good cause to extend Mr. Dorsey's deadline for filing a
26 notice of appeal. Mr. Dorsey having indicated in his second motion, Dkt. # 587, an intent to
27 appeal the Court's decision, the Court finds that his notice of appeal is timely.
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1 In addition, Mr. Dorsey moves the Court for the appointment of counsel on appeal. The
2 Court may appoint counsel for litigants unable to afford representation. See 28 U.S.C.
3 § 1915(e)(1); 18 U.S.C. § 3006A(a)(2)(B). The Court finds appointment of counsel for Mr.
4 Dorsey is appropriate and in the interests of justice.

5 Mr. Dorsey's request for appointment of counsel, Dkt. # 587, is GRANTED. The Court
6 appoints the Federal Public Defender to represent Mr. Dorsey in his appeal of this matter. In
7 addition, Mr. Dorsey is directed to submit an affidavit to the Court showing his inability to
8 financially afford representation in accordance with the requirements for proceeding before the
9 Court *in forma pauperis*. See 28 U.S.C. § 1915(a)(1).

10 The Clerk of Court is directed to send copies of this order to Mr. Dorsey, to the Federal
11 Public Defender, and to the government.

12 DATED this 15th day of December, 2017.

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15 Robert S. Lasnik
16 United States District Judge
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